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United Nations

Report of the Committee on Relations with the Host Country

General Assembly

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Chapter I
Introduction

1. The Committee on Relations with the Host Country was established pursuant to General Assembly resolution 2819 (XXVI). The Assembly, by its resolution 71/152, decided to include in the provisional agenda of its seventy-second session the item entitled "Report of the Committee on Relations with the Host Country". The present report is submitted pursuant to resolution 71/152.

2. The report consists of four chapters. The recommendations and conclusions of the Committee are contained in chapter IV.

Chapter II
Membership, composition, terms of reference and organization of the work of the Committee

3. The Committee is composed of 19 members, as follows:

Bulgaria	Iraq
Canada	Libya
China	Malaysia
Costa Rica	Mali
Côte d'Ivoire	Russian Federation
Cuba	Senegal
Cyprus	Spain
France	United Kingdom of Great Britain and Northern Ireland
Honduras	
Hungary	United States of America

4. The Bureau of the Committee consists of the Chair, the three Vice-Chairs, the Rapporteur and a representative of the host country who attends Bureau meetings ex officio. During the reporting period, the Bureau was composed as follows:

Chair:

Nicholas **Emiliou** — Kornelios **Korneliou** (Cyprus)

Vice-Chairs:

Krassimira **Beshkova** (Bulgaria)
Catherine **Boucher** (Canada)
Koffi Narcisse **Date** (Côte d'Ivoire)

Rapporteur:

Georgina **Guillén-Grillo** — Shara **Duncan Villalobos** (Costa Rica)

5. At its 280th meeting, the Committee was informed of the departure of Georgina Guillén-Grillo (Costa Rica), who had served as Rapporteur, and welcomed Shara Duncan Villalobos (Costa Rica) to serve as Rapporteur. At the same meeting, the Committee bid farewell to its Chair, Nicholas Emiliou (Cyprus). At its 281st meeting, the Committee welcomed Kornelios Korneliou (Cyprus) as Chair.

6. The terms of reference of the Committee were determined by the General Assembly in its resolution 2819 (XXVI). In May 1992, the Committee adopted, and in March 1994 slightly modified, a detailed list of topics for its consideration, which is set out in annex I to the present report. No documents were issued by the Committee during the reporting period.

7. During the reporting period, the Committee held the following meetings: the 280th meeting, on 25 January 2017; the 281st meeting, on 27 April 2017; the 282nd meeting, on 13 July 2017; the 283rd meeting, on 6 September 2017; the 284th meeting, on 2 October 2017; and the 285th meeting, on 20 October 2017.

Chapter III
Topics dealt with by the Committee

A. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, and question of privileges and immunities: Convention on the Privileges and Immunities of the United Nations and other relevant instruments

8. At the 280th meeting, the representative of the Russian Federation informed the Committee that his Mission had called for a meeting to raise a serious and unprecedented violation by the United States of America of its obligations as a host country under international law. He stated that the host country had unilaterally stripped one of the premises of the Permanent Mission of the Russian Federation to the United Nations of its diplomatic status and inviolability. The representative explained that, in 1953, the Union of Soviet Socialist Republics had acquired property located in Upper Brookville, Long Island, in the State of New York, for use by the Permanent Mission as part of its premises for its diplomatic representation. He stated that diplomatic status and respective privileges and immunities had been recognized by the host country since then. He further explained that, in a note dated 29 December 2016, addressed to the embassy of the Russian Federation in Washington, D.C., the Department of State of the United States had informed the Russian Federation that access to the property would be prohibited and that the property could no longer be used for diplomatic purposes, meaning the loss of its relevant privileges and immunities. Two staff members of the Permanent Mission who were residing on the property were ordered to leave by the following day. The explanations of such actions were not provided by the host country. In its note, the State Department had also informed the Russian Federation that measures would be taken to ensure the protection and security of the site. Despite those assurances, his delegation noted that the lock on the gates had been broken and unidentified persons had gained access to the property. The representative informed the Committee that, following receipt of the note, the Russian Federation had been refused access to the property.

9. The representative of the Russian Federation stated that the host country had violated articles 22 and 25 of the Vienna Convention on Diplomatic Relations on the inviolability of diplomatic premises and the provision of full facilities for the performance of the work of the Mission. He further stated that the host country had an obligation to recognize the diplomatic status and privileges and immunities that applied to the premises used for the needs of a permanent mission to the United Nations. He therefore strongly urged the host country to immediately lift the limitations it had imposed on those premises. The representative also requested that the host country refrain from taking such action in the future. He further stated that the unprecedented violation by the host country of its obligations under international law warranted due attention by the Committee and the Organization as a whole. In that respect, the Russian Federation requested that the Secretary-General and the Chair of the Committee intervene in the matter and make every effort possible to hold the host country to its international legal obligations.

10. The representative of the host country stated that his Government's position was that the Upper Brookville property was neither used by the Russian Federation as premises of its Permanent Mission to the United Nations nor located in the United Nations Headquarters district. Those constituted the only scenarios that

would give rise to obligations of international law on the part of the United States as host country to the United Nations. He explained that the Upper Brookville property was used as a recreational property and that there was neither a right under international law for the Russian Government to have recreational property in the United States, nor any obligation for the United States not to interfere with the use of such property. He stated that his Government considered the use of the Upper Brookville property by the Russian Federation as a purely bilateral matter and that the decision to take temporary possession of the property had been taken in that context. He stressed that the authorities of the United States had not requisitioned the property, which still belonged to the Russian Government, but were temporarily prohibiting the Russian Government from using the property pursuant to the United States Government's authority under the Foreign Missions Act. He noted that, while one building on the property had been used as a residence for members of the administrative and technical staff of the Permanent Mission of the Russian Federation to the United Nations, they did not enjoy personal inviolability and their presence could not serve as a basis for considering the premises to be a part of the premises of the Permanent Mission under the Vienna Convention on Diplomatic Relations. Although the Vienna Convention provided for offices to be situated in localities other than those in which a mission was established but still be part of that mission, upon the express prior consent of the host country, there was no such provision with respect to recreational facilities or residences. He also wished to note that the United States had never provided its express consent for the Upper Brookville property to be included in the premises of the Permanent Mission of the Russian Federation to the United Nations. Instead, the United States had merely permitted members of the Permanent Mission as well as the Consulate to use the property as a recreational facility. The representative further explained that the tax exempt status of the property was the result of the provisions of the bilateral consular treaty entered into by the United States and the then-Union of Soviet Socialist Republics and that it was not related to the Permanent Mission of the Russian Federation to the United Nations.

11. In conclusion, the representative of the host country stated that the property did not enjoy any protection under the Vienna Convention on Diplomatic Relations, the Headquarters Agreement or the Convention on the Privileges and Immunities of the United Nations, and that the matter should be resolved on a bilateral basis. He assured the representative of the Russian Federation that the State Department would be prepared to consider future requests to enter the property after having instituted a number of steps to safeguard the property.

12. The Chair asked the representative of the host country to confirm that the crux of its argument was that the issue was of a bilateral nature and therefore fell outside the remit of the Committee. The representative of the host country confirmed that the Chair's understanding was correct.

13. The observer for the Bolivarian Republic of Venezuela said that the events appeared to constitute a breach of the obligations of the host country under the Headquarters Agreement. He further stated that such unilateral measures violated the core principles of the Charter of the United Nations and the Declaration on Friendly Relations of 1970. He therefore wished to request that the host country reconsider its position, and called upon the parties to enter into a bilateral dialogue to resolve the matter.

14. The observer for Nicaragua recalled the importance of the Vienna Convention on Diplomatic Relations and the Headquarters Agreement and appealed to the parties to resolve the issue bilaterally.

15. The observer for Belarus stated that the reported seizure of the property of the Russian Federation, the lifting of its immunity and the blocking of access to the property violated international law and the national law of the United States, inter alia, with respect to property rights. He noted that the property had been used for the conduct of official diplomatic events, which representatives from Belarus often attended. He also stated that the inviolability of the premises was guaranteed not just by its immunity, but also by the personal immunity of the staff living on the premises. The limitations imposed by one State on the other, and which had an impact on the functioning of a permanent mission to an international organization, were not in line with the Charter and constituted an intervention of one State in the affairs of the other. The observer for Belarus called upon the parties to resolve the matter bilaterally and hoped to see a swift lifting of the measures imposed by the host country.

16. The observer for the Islamic Republic of Iran said that the matters related to the privileges and immunities of the United Nations and the diplomatic missions accredited to it were in the interests of the United Nations and all Member States. Recalling the importance of inviolability of diplomatic premises, he said that in his opinion the host country had already recognized the diplomatic status of the premises, but lifted that status on 30 December 2016. He stated that, irrespective of the nature of the building and the activities taking place therein, whether utilized for recreation activities or other uses, any kind of intrusion on the property required the consent of the head of the Mission of the Russian Federation, and that even an alleged misuse of the diplomatic premises could not justify trespassing without consent. He invited the host country to fulfil its responsibilities in ensuring respect for diplomatic immunity, which was intended to ensure the efficient performance of the functions of diplomatic missions in their task of representing States.

17. The representative of China stated that, according to the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations and other relevant instruments of international law, the premises of missions to the United Nations enjoyed the same inviolability as the premises of embassies, which should be respected by the host country. The representative expressed his hope that the parties would consult to find a proper solution and report to the Committee at an appropriate time.

18. The representative of Cuba stressed the importance of respecting the inviolability of diplomatic premises and recalled the obligations of the host country under the Vienna Convention on Diplomatic Relations. The representative called for dialogue to improve diplomatic relations among missions accredited to the United Nations under the Headquarters Agreement and the Vienna Convention.

19. The observer for the Sudan noted that, according to the Permanent Mission of the Russian Federation, it had long maintained that the premises in question were used for diplomatic purposes and that that fact had been recognized in an exchange of notes between the parties. He welcomed the intention of the host country to seek a bilateral solution to the matter and in that regard reiterated the importance of dialogue and bilateral understanding in order to avoid the adoption of measures that might constitute a violation of the Vienna Convention on Diplomatic Relations and the Headquarters Agreement.

20. The representative of Canada stated that, while it was important to uphold the principle of diplomatic immunity and the provisions of the Headquarters Agreement, the nature of the matter appeared to be a bilateral one, and in that regard she was encouraged by the offer from the United States of a bilateral dialogue with the Russian Federation to resolve the matter.

21. The representative of the Russian Federation thanked the delegations who had spoken about the situation and regretted that the representative of the host country had been unable to respond substantively to the questions he had raised. He stated that the Vienna Convention on Diplomatic Relations did not contain any limitations with regard to the location of diplomatic property and wished to confirm that the property in Upper Brookville was being used by the Permanent Mission of the Russian Federation for diplomatic purposes. The fact that it was also used for recreational purposes in no way ran counter to that fact. With respect to the clarification made by the representative of the host country that it had taken only temporary possession of the property, he wished to inform the Committee that the United States had not notified his Permanent Mission of that point. The representative stated that, while his delegation was prepared to engage in a bilateral dialogue with the host country to resolve the matter, he wished to emphasize that his delegation considered the matter to be one that was fully within the purview of the Committee. Accordingly, his Mission would return to the Committee on the matter as required.

22. The Chair stated that the crux of the matter was whether the property was used for diplomatic or recreational purposes. He stated that the question could not be decided at that time and encouraged the parties to engage in discussions to resolve the matter. He stated that the Committee would remain seized of the matter and that he was at the disposal of interested delegations to assist in reaching an amicable solution, in line with the Committee's general approach of settling all issues raised at its meetings in a spirit of cooperation and in accordance with international law.

23. At the 281st meeting, the representative of the Russian Federation informed the Committee that the issue his Mission had raised at the Committee's 280th meeting remained unresolved and that the host country remained in violation of its obligations under international law. He stated that, since January 2017, requests by his Mission to visit the property had been rejected by the State Department of the United States without further explanation. That included the rejection of a recent request to hold a protocol event to mark Victory Day, which had been held on those premises for many years.

24. He also stated that his Mission continued to receive bills for the supply of electricity, water and communications services to the premises amounting to more than $20,000, as well as a fine for the non-payment of bills, all of which had been forwarded to the United States Mission to the United Nations. He noted that water consumption had considerably increased compared with the previous year. He expressed his hope that the host country authorities would provide an explanation as to when the bills and the fine would be paid, why the consumption of water had increased and who had been authorized by the host country authorities to occupy the premises. In that regard, he wished to note that the host country authorities bore full responsibility for any damage done to the property.

25. The representative of the Russian Federation wished to inform the Committee that the status, privileges and immunities of the premises were explicitly acknowledged, in written form, by the State Department of the United States through a note dated 29 December 2016 that it had sent to his Mission informing it that privileges and immunities would cease to apply to the premises, which could no longer be used for official purposes. He also refuted the assertion made by the host country that the property was being used by the Consulate General of the Russian Federation in New York. He recalled that the Permanent Mission of what was then the Union of Soviet Socialist Republics had bought the Upper Brookville premises in 1953, and its address was reflected in the purchase deed. The documents related to the registration of the facility by the Union of Soviet Socialist Republics and later by the Russian Federation, as the continuator State, also reflected the address of the

Permanent Mission to the United Nations as the owner of the premises. He stated that the facilities had been used for official purposes as premises exclusively of the Permanent Mission of the Union of Soviet Socialist Republics and the Russian Federation, that protocol events and internal meetings were held there, Mission documents were stored there and officials working for the Permanent Mission resided there. He stressed that the fact that, after working hours, officials would also enjoy rest and relaxation there in no way contradicted the diplomatic status of the premises. With respect to the geographic distance between the property and United Nations Headquarters, he pointed out that such a circumstance was not sufficient to rule out the diplomatic status of the premises and that it had not prevented the premises from enjoying privileges and immunities for the past decades. The representative of the Russian Federation also rejected the argument made by the host country that the tax-free status of the property was based on the Consular Convention between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics of 1964, and therefore such status could not be proof that it enjoyed diplomatic status. He noted that article 21 of that Convention referred to properties in the receiving state being used for diplomatic and consular purposes. He recalled that the Permanent Mission of the Russian Federation, like any other permanent mission, was accredited to the United Nations and not the United States. Accordingly, it would be incorrect to apply restrictions that derived from bilateral relations to such premises and inconsistent with the obligations of the United States as the host country. His delegation expected that the host country authorities would demonstrate their goodwill and remedy the situation. The representative stated that his Mission would be grateful for any assistance by the United States Mission to that end, and that if an adequate response was not received, a dangerous precedent would have been set both for all permanent missions and the United Nations itself.

26. The representative of the host country stated that the United States had conferred privileges and immunities to the property pursuant to a bilateral arrangement with the Russian Federation dating back several decades and that, as such, those privileges and immunities did not form part of the obligations of the United States under the Headquarters Agreement or the Vienna Convention on Diplomatic Relations, to the extent that the provisions of the Vienna Convention were incorporated implicitly by the provisions of the Headquarters Agreement. He stated that the United States had never considered the property to be part of the premises of the Permanent Mission of the Russian Federation to the United Nations. He stressed that the premises of a mission was defined narrowly in the Vienna Convention and cited article 1 (i) of the Convention, which states that the premises of a mission are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission, including the residence of the head of the mission. He further stated that premises away from a mission were extremely exceptional and referred to article 12 of the Convention, according to which the sending State may not, without the prior express consent of the receiving State establish offices forming part of the mission in localities other than those in which the mission itself is established. The representative stressed that the United States did not give express consent to the Russian Federation to establish offices forming part of the Permanent Mission of the Russian Federation to the United Nations in Upper Brookville. He stated that the fact that the Russian Federation held receptions on the property did not make it premises of the Mission and that property could only become premises under the Headquarters Agreement and the Vienna Convention with the express consent of the host country. The representative of the host country concluded that, for those reasons, the premises in question did not fall within the provisions of the Headquarters Agreement or the

Vienna Convention and the matter should be left to the United States and the Russian Federation to resolve bilaterally.

27. The representative of China stated that, in line with the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations and other relevant provisions of international law, the premises of a permanent mission of a Member State to the United Nations should enjoy the same inviolability as the premises of embassies, and that such inviolability should be respected. His Government hoped that the parties involved would communicate constructively on the matter and find a proper solution. His Mission further endorsed the decision made by the Committee at the last meeting that the Committee should remain seized of the matter.

28. The representative of Cuba stated that respect for diplomatic property was of vital importance, that there was a particular sensitivity with regard to the work of the missions and the diplomats accredited to the United Nations and that it was therefore essential for the work of the missions accredited to the United Nations that the host country authorities respect the Headquarters Agreement. He stressed that Cuba rejected any act that would violate diplomatic immunity either of premises or diplomatic agents and was in favour of any measure that would prevent such occurrences as those mentioned during the meeting. He underlined that the host country had an obligation to adopt all relevant measures within its power to meet its international legal obligations in accordance with the Vienna Convention on Diplomatic Relations. He further stated that Cuba was in favour of dialogue and respect for international law, which helped to bring about better diplomatic relations between countries accredited to the United Nations within a framework of security and strict compliance with the Vienna Convention and the Headquarters Agreement. Finally, his Mission wished to underscore its commitment to all Member States to help ensure respect for the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention and the Headquarters Agreement, and to do so transparently, without discrimination and with full respect for the sovereignty of Member States and the rules of the Organization.

29. The observer for the Islamic Republic of Iran stated that the immunity of diplomatic missions and in particular the inviolability of diplomatic premises was imperative for the maintenance of appropriate conditions for the normal work of the delegations and the independent functioning of the missions accredited to the United Nations. His Mission therefore wished to invite the host country, in close consultation with the Russian Federation, to fulfil its responsibility in ensuring respect for the diplomatic immunities of the premises in question.

30. The observer for Nicaragua stated that respect for diplomatic premises was crucial for the work of the accredited diplomatic missions to the United Nations, as was due respect by the authorities of the host country for the Headquarters Agreement. She noted that the host country had the obligation to adopt all necessary measures to meet its obligations under international law according to the Vienna Convention on Diplomatic Relations. Finally, the observer for Nicaragua stated that her Mission believed that there should always be constructive dialogue and respect within the framework of international law so that it could contribute to good diplomatic relations between the States accredited to the United Nations within the framework of international law.

31. The representative of the Russian Federation stated that his delegation remained firmly of the view that the matter fell fully under the auspices of the Committee and requested that the Committee continue to take it up if no solution was found in the near future.

32. The Chair stated that the subject was a sensitive issue that remained of serious concern, especially for the Russian Federation. At the same time, he expressed his appreciation for the efforts being made by the host country to address those concerns and his trust that they would be duly settled in a spirit of cooperation and in accordance with international law. He confirmed that the Committee would remain seized of the matter.

33. At the 282nd meeting, the representative of the Russian Federation indicated that his delegation wished once again to draw the attention of the Committee to an urgent matter with which the Committee was already seized, namely the flagrant breach by the United States of its obligations under international law with respect to a part of the premises of the Permanent Mission of the Russian Federation located in Upper Brookville, Long Island, in the State of New York. He wished to recall the factual and legal situation that his Mission had described at the 280th and 281st Committee meetings, and provided a summary as follows: in December 2016, a facility under the ownership of the Russian Federation for use by its Permanent Mission to the United Nations was effectively seized by the United States authorities. The host country had announced its temporary possession of those premises in the Committee, and since then Mission personnel had been denied access to the premises, even for the conduct of maintenance and emergency works. Requests for access to and the return of the property were refused without explanation. Paradoxically, at the same time, his Mission continued to receive bills for utilities supplied to the premises, which it promptly forwarded to the United States Mission to the United Nations. At the previous meetings of the Committee, his Mission had requested that the host country explain when the invoices and penalties would be paid. His Mission had also requested an explanation for why there had been an increase in the consumption of utilities, who was currently occupying the premises and who was allowed access to it. His Mission had yet to receive a response.

34. The representative of the Russian Federation stated that the situation, which had continued for more than six months, was unprecedented from the standpoint of the operations of the United Nations and the permanent missions of its Member States. He stressed that all Member States should understand that if the Committee and the General Assembly did not provide an appropriate response to the matter, then the rules of international law, which guaranteed the privileges and immunities of the permanent missions to the United Nations, would be applied solely at the discretion of the host country. His delegation therefore requested that the host country first offer an official apology and lift all illegitimate restrictions that it had imposed against the premises in question; and second, offer robust guarantees to the Russian Federation and all Member States that such a violation would not occur again. Third, his delegation requested that the Committee remind the host country of the need to strictly comply with the entire range of international legal rules that governed the privileges and immunities of real estate used for diplomatic purposes by the permanent missions of States Members of the United Nations; and fourth, that the Committee object to abuse by the host country of its status as a host country and to any practice that would seek to impose on the permanent missions of States Members of the United Nations, including their premises and personnel, restrictions stemming solely from their bilateral relations with the United States.

35. The representative of the Russian Federation wished to clearly state his delegation's position that that the host country bore full responsibility for any damage or loss to the premises. He also requested that the Committee include appropriate recommendations, together with the discussions, in the forthcoming report of the Committee that would, at minimum, reflect the points he had just mentioned.

36. The representative of the host country stated that his Government remained committed to addressing the issues raised by the representative of the Russian Federation through bilateral discussions. In that regard, he noted that the two capitals were continuing to discuss the matters directly through an established mechanism.

37. The representative of China stated that his Mission hoped that the two sides would strengthen their coordination and negotiations in order to seek a solution in accordance with the relevant principles governing privileges and immunities, and with due regard to the status of diplomatic premises under international law, including the principle of inviolability.

38. The observer for the Syrian Arab Republic stated that his Government had always supported the demands of the Russian Federation to resolve the issue and wished to align itself with the statements made by the Russian Federation on the matter. In that regard, he wished to note that the matter had not been resolved since January 2017, and that a period of seven months should have been sufficient to resolve the matter, given the clear legal position under the relevant legal instruments.

39. The Chair reiterated that the matter raised serious issues and stated that he was pleased to hear of the efforts to engage bilaterally in order to resolve them. He wished to confirm that the Committee would remain seized of the matter and that he hoped that progress would be made before the following meeting.

40. At the 283rd meeting, the representative of the Russian Federation stated that he wished, once again, to draw the attention of the Committee to the non-compliance by the host country of its obligations with respect to the premises of the Permanent Mission of the Russian Federation. He noted that, as mentioned in previous meetings of the Committee, the actions by the host country amounted to a discriminatory approach driven by a broader course of action by the United States to intentionally worsen relations with the Russian Federation and that the United States was continuing to abuse its position as the host country of the United Nations. The representative of the Russian Federation stated that the premises continued to be, in essence, seized by the authorities of the host country. He wished to inform the Committee that the 20 requests his Mission had submitted to date for access to the premises had all been declined by the State Department of the United States without any explanation. His delegation considered the legal and factual situation to be clear and that it was evident that the actions by the host country were a blatant violation of its obligations under international law, not only towards the Russian Federation as a State Member of the United Nations but towards the Organization as a whole.

41. The representative of the Russian Federation stated that, in line with the practice of the Committee, the next step should be to send a clear and unequivocal signal in its report, including in its recommendations and conclusions. The recommendations should include, for instance, a demand that the host country lift all restrictions with regard to Russian diplomatic premises and provide compensation for damages caused to premises and assurances that such violations would not be repeated in the future. He stated that it was important to also recall the need to comply with the entire body of international legal norms that govern the privileges and immunities of premises used for diplomatic purposes by the permanent missions of States Members of the United Nations, including the Headquarters Agreement and the relevant provisions of the Vienna Convention on Diplomatic Relations and other relevant instruments. He stated that it was important for the Committee to confirm that the abuse by the host country of its status was unacceptable, as well as the unacceptability of any practice that would seek to

impose on the permanent missions of States Members of the United Nations, including their premises and other property, restrictions stemming solely from the bilateral relations of the United States.

42. The representative of the Russian Federation stated that the worsening situation with respect to the processing and extending of visas by the host country authorities for the personnel of the Permanent Mission of the Russian Federation should also be reflected in the report. His Mission was prepared to take part in preparing the substantive recommendations of the Committee and hoped that the Secretary-General and the Committee would remain seized of such a serious matter until the host country authorities ceased to violate international law in the case. Finally, he wished to thank the Chair for his efforts to resolve the situation and stated that his delegation would welcome the Chair's active involvement in resolving the issue.

43. The representative of the host country stated that his Government remained committed to addressing the issues raised by the representative of the Russian Federation through bilateral discussions.

44. The representative of Cuba recalled that the Committee was there to help ensure that relevant issues between Member States and the host country were resolved. In that regard, he wished to note that it was essential to protect diplomatic property for the proper functioning of permanent missions and their diplomatic staff under the Headquarters Agreement.

45. The representative of China stated that, according to the relevant provisions of international law, the premises of a Member State's permanent mission to the United Nations enjoyed the same inviolability as the premises of an embassy, which should be respected. He stressed that the Committee should give serious consideration to the position stated by the Russian Federation, based on a complete understanding of all facts, and that, if necessary, the Committee could seek the opinion of the United Nations Legal Counsel on relevant issues.

46. The observer for Belarus stated that his Government remained concerned that the situation that had arisen some time ago with respect to the premises of the Permanent Mission of the Russian Federation to the United Nations had not yet been resolved, and recalled that, in its statement at the previous meeting of the Committee, his Mission had urged the parties to find an acceptable compromise on the matter. He also wished to join what was said by Cuba and China with regard to the special role that the host country played in ensuring the smooth, unimpeded functioning of missions to the United Nations and thereby helping to ensure the proper functioning of the Organization as a whole.

47. The observer for Nicaragua stated that respect for diplomatic property was critical to the work of missions accredited to the United Nations, that the violation of diplomatic immunity, whether with respect to property or diplomatic agents, should not be permitted and that all measures should be taken to ensure that such acts were prevented. She recalled that the host country was bound to adopt all necessary measures to fulfil its international law obligations under the Vienna Convention on Diplomatic Relations. The observer for Nicaragua concluded by stating that her Government believed that there should be respect and dialogue within an international framework, as that could only lead to the better functioning of the missions accredited to the United Nations, in conformity with international law.

48. The observer for the Sudan stated that the Headquarters Agreement, the provisions of the Vienna Convention on Diplomatic Relations and the Convention on the Privileges and Immunities of the United Nations were the basis for any

discussions on the issues raised, and that the provision of adequate conditions for all missions to the United Nations to properly fulfil their functions would be in the interests of the host country, the United Nations and all Member States. In that regard, he wished to express his appreciation for the efforts made by the host country and his expectation that the host country would settle all the issues raised during the present and previous meetings of the Committee, including those raised by the Russian Federation, in a spirit of cooperation and in accordance with international law.

49. The Chair took note of the statement made by the representatives of the Russian Federation and the host country, as well as the statements made by all other representatives and observers. He noted that, while everyone agreed on the importance and sensitivity of the issue of privileges and immunities in the present context, it remained a complicated matter on which the parties continued to differ with regard to the legal status of the property concerned and the applicable legal regime. He encouraged the parties to continue to engage bilaterally to resolve the issue and to avail themselves of his assistance. He stated that the Committee would continue to remain seized of the matter and hoped that the Committee would hear of progress made at its next meeting.

50. The representative of the Russian Federation stated that the legal status of the property as premises of the Mission was firmly established and explicitly confirmed, including the provision of relevant privileges and immunities, by the host country in, inter alia, the note dated 29 December 2016. He was grateful for the efforts of the Chair to address the situation regarding the premises of the Permanent Mission of the Russian Federation and reiterated that his delegation would welcome any efforts on the Chair's part that he would deem to be appropriate and useful.

51. The Chair thanked the representative of the Russian Federation for his statement and confirmed that he stood ready to engage with the interested parties in order to find the correct way forward. In the meantime, the Committee would remain seized of the matter.

52. At the 284th meeting, the representative of the Russian Federation informed the Committee that no progress had been made in resolving the issue with the host country that had been discussed in previous meetings of the Committee with regard to the premises of the Permanent Mission of the Russian Federation in Upper Brookville. As the Committee was now moving to complete its report, his delegation called for the issue to be properly reflected in the recommendations and conclusions contained in the report.

53. The representative of Cuba stated that respect for diplomatic property was of vital importance and particular sensitivity for the work of permanent missions of States Members of the United Nations and their diplomats, and that it was therefore essential that the host country authorities respect the Headquarters Agreement. She stressed that her delegation rejected any act that would violate the diplomatic immunity of premises and/or diplomatic agents and expressed the view that the host country authorities had an obligation to adopt all relevant measures within their power to meet their international legal obligations in accordance with the Vienna Convention on Diplomatic Relations.

54. The representative of China stated that, with respect to the matter raised by the Russian delegation, China maintained its position as expressed in previous meetings.

55. The Chair thanked the representatives for their statements. He informed the Committee that he had held informal discussions on the issue with the representatives concerned, and that, while he was encouraged by those discussions,

the situation remained unchanged for the time being. He urged the parties to continue to engage bilaterally on the matter and to avail themselves of his assistance as they deemed appropriate. He confirmed that, in the meantime, the Committee would remain seized of the matter.

B. Question of the security of missions and the safety of their personnel

56. At the 281st meeting, the observer for the State of Palestine stated that she wished to raise a matter concerning the security of the Permanent Observer Mission of the State of Palestine to the United Nations and the safety of its personnel. After explaining that the Mission and the Ambassador's residence were in the same building and therefore that there were diplomats in the building at all times, the observer informed the Committee that in recent months two protests had been held in front of the Mission. With respect to the details of the protests, she stated that, on 13 March 2017, the Mission notified the New York City Police Department and the State Department of the United States that the protests were being planned. She noted that the police officers did not arrive until towards the end of the protest and that, while a representative of the State Department was present, the protesters became rowdy, blocked both entrances and exits, banged on the doors and called the Mission's telephone for an hour. With respect to the second protest, she indicated that, on 17 April, the State Department notified the New York City Police Department and the Mission of another protest. Both police officers and representatives from the State Department were present, but again the police officers allowed the protesters to block, for more than three hours, the only two doors that offered entry to and exit from the building. According to her Mission's understanding of the applicable laws, blocking the entrances and exits of buildings was not legal and the Police Department was responsible for ensuring that the laws were implemented and respected. Her Mission believed that the police officers should have been present during the entirety of both protests, and at the very least the police should have set up a barrier on the opposite side of the street to guide protesters to the appropriate place and prevent them from blocking all entrances and exits of the building, which created a security hazard and unnecessarily threatened the Mission, its personnel and the family of the Ambassador. She pointed out that a similar incident had occurred in October of 2015, and since that time the Mission had been in constant communication with the State Department and the New York City Police Department. She noted that, while those communications had proven to be helpful in working with the State Department, her Mission continued to face challenges with the Police Department with regard to responding to security threats at the Mission and implementing the relevant laws that applied to such situations. She noted that her Mission had reached out to representatives of the United States Mission regarding each incident and that they had always been willing to assist in addressing the concerns raised. Her Mission was grateful for the host country's willingness to help solve the problem and would continue to work with them in the hope of preventing future incidents. She wished to note that, as the new administration of the United States was pushing to renew a Middle East peace process and in the light of the planned visit of President Abbas to Washington, D.C., the following week to meet with President Trump, her Mission had great concerns for the safety and security of its premises and personnel. She concluded by stating that her Mission would continue to work closely with the host country, and with Cyprus in its capacity as Chair of the Committee on Relations with the Host Country, in order to resolve the security issues and prevent future incidents.

57. The representative of the host country stated that his Mission had been working very closely with the Permanent Observer Mission of the State of Palestine to try to resolve any issues that arose and wished to assure the observer for the State

of Palestine that he and the New York City Commissioner for International Affairs would continue to communicate with the Observer Mission to try to ensure that the incidents she had mentioned did not happen again.

58. The Chair welcomed the constructive efforts being made by the host country to address the serious matters raised by the observer for the State of Palestine and hoped that they would soon be resolved.

C. Entry visas issued by the host country

59. At the 281st meeting, the observer for Zimbabwe wished to raise his Government's concerns with regard to delays since the beginning of 2017 in the issuance of visas by the host country to delegations attending meetings at the United Nations. He informed the Committee that two Government ministers had been unable to attend meetings of the Commission on the Status of Women and of the Sustainable Energy for All Forum as a result of the delays. He expressed his Government's hope that such a situation was not going to be a trend going forward and wished to request the assistance of the host country in ensuring that delegations were not hindered from participating in United Nations meetings.

60. The representative of the host country stated that he would be pleased to assist and urged all missions to reach out to the United States Mission directly on such matters. He urged all missions to remind their capitals of the need to apply for visas as soon as possible prior to a meeting so that if a problem arose there would be enough time to try to resolve it.

61. The Chair welcomed the assurances provided by the representative of the host country and the efforts of the United States Mission to address the concerns of Member States on visa matters.

62. At the 282nd meeting, the observer for the Democratic People's Republic of Korea stated that entry visas had always been issued with delay to the diplomats and their families in his Mission, and to the delegations accredited to the General Assembly and other meetings held at United Nations Headquarters. He noted that the Department of State of the United States required diplomats and their families to apply for the renewal of entry visas 40 days before the expiry of the visa, but noted that even when diplomats in his mission applied more than 40 days in advance of the expiry of their visas, their visas would still only be renewed two months after the expiry of the original visa. He further explained that his country's delegation accredited to the Assembly and to other meetings at United Nations Headquarters usually received their United States entry visas only one or two days before their departure, which caused many difficulties with regard to travel. His Mission therefore requested that the Committee take a strong position and stop the United States Government from abusing the issuance of such visas for its politically motivated purposes against a sovereign State.

63. The representative of the host country stated that it was essential for a line of communication to be established with his Mission to discuss at an early stage any issues with respect to the issuance of visas. He urged the Permanent Mission of the Democratic People's Republic of Korea and other missions experiencing delays with the issuance of visas to contact the United States Mission and the unit in charge of visa issuance and renewal.

64. The Chair stated that the Committee, in line with its recommendations and conclusions, anticipated that the host country would continue to enhance its efforts to ensure the issuance of entry visas to representatives of Member States in a timely manner. In that regard, the Committee appreciated the efforts of the Office of Host

Country Affairs in the United States Mission to address the concerns of Member States.

65. At its 283rd meeting, the representative of the Russian Federation stated that his Mission had also been facing difficulties in receiving new visas or extensions to existing visas for the employees of his Mission. He informed the Committee that, to date, eight employees, including senior diplomats, as well as members of their families, had been unable to obtain new or extend existing visas within a time frame of less than one and a half to several months, which was impairing the work of the Mission.

66. The representative of the host country stated that, on the matter of the issuance of visas, his Mission had recently organized a meeting where all administrative staff of the permanent missions could meet the members of his Government that were dealing with visa and related matters in order to ensure that all Heads of State and Foreign Ministers and their delegations could enter the United States and partake in all of the activities of the high-level segment of the General Assembly. He noted that a great deal of information had been provided related to logistics, including with respect to applications for visas. In that regard, he again wished to emphasize to all missions that if there appeared to be a delay or other problem relating to the issuance of visas, they should contact the United States Mission directly for assistance.

67. The representative of the Russian Federation stated that he wished to clarify that the difficulties encountered by the Russian Federation with respect to the issuance of visas were not related to persons arriving on short-term missions to the United Nations to attend meetings, but rather to the staff of the Permanent Mission of the Russian Federation, who waited for the renewal of their visas for several months at a time, as did those who were due to join the Mission to replace staff that were departing. He wished to reiterate that the situation had the most unfortunate and unpleasant effect on the proper functioning of the Mission.

68. The Chair took note of the statement made by the representative of the Russian Federation on the issue of visas. He recalled that the Committee had consistently held in its recommendations and conclusions that it anticipated that the host country would continue to enhance its efforts to ensure the issuance of entry visas to representatives of Member States in a timely manner.

69. At the 284th meeting, the observer for the Bolivarian Republic of Venezuela expressed her delegation's concern about the travel restrictions imposed by the host country on her Government's officials, including diplomatic staff from the Ministry of Foreign Affairs who travelled to New York City, where the Headquarters of the United Nations was located, to participate in meetings of the Organization. In that regard, she wished to note the recent decision announced on 24 September 2017 by the host country to restrict the entry of Venezuelans, as well as the delays in the issuance of visas to the country's representatives. Such measures, which restricted the movement of Venezuelan officials and prevented them from doing their work at Headquarters, were based on political motivations and were in contravention of international law as reflected in the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations and the Vienna Convention on Diplomatic Relations. She urged the Committee to request the host country to lift the measures so that Venezuelan officials could fully participate in the work of the Organization. She wished to request that the Committee ask the host country to lift the restrictions imposed on Venezuelan officials and to guarantee their travel to New York City to participate in United Nations meetings, as well as to issue their visas in due time.

D. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, including entry visas issued by the host country, and question of privileges and immunities: Convention on the Privileges and Immunities of the United Nations and other relevant instruments

70. At the 282nd meeting, the observer for the Democratic People's Republic of Korea stated that he wished to bring to the attention of the Committee a recent provocation committed by the United States authorities. He informed the Committee that at 4:30 p.m. on 16 June 2017, at John F. Kennedy international airport in New York City, diplomatic parcels were forcibly removed from a member of his country's delegation who was returning home after attending the tenth session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, held from 13 to 15 June at United Nations Headquarters. The delegation, consisting of three persons with diplomatic passports, had passed through passport control and security and was at the gate waiting to board the aircraft when they were approached by unidentified persons who said they would provide special assistance guiding the delegation ahead of other passengers to the aircraft door. At the door, a group of more than 20 people, including some claiming to be from the United States Department of Homeland Security and police officers, violently removed the diplomatic packages as well as certain personal belongings, including a camera, from the delegation. The observer stated that it was clear to his Government that the provocation committed by the United States authorities had been planned in advance to specifically target the delegation. His Government considered the act to be a malicious provocation and an intolerable act of infringement upon the sovereignty of the Democratic People's Republic of Korea, and strongly condemned it. The observer recalled that the inviolability and protection of the diplomatic bag was clearly stipulated in article 27 of the Vienna Convention on Diplomatic Relations. He confirmed that the diplomatic packages had been prepared in conformity with international rules and that the United States authorities had not given any explanation as to why they took them away. He further informed the Committee that, to date, the packages had not been returned. The observer noted that, after seizing the diplomatic packages, the United States Department of State made an official apology but continued to delay their return under one pretext or another for more than a month. According to the representative, the act proved how reckless and despicable the United States hostile policy towards his country was. He wished to convey to the Committee his Government's view that the fact that diplomats of a sovereign State were robbed of a diplomatic bag in the middle of New York, where the United Nations was headquartered and served as the venue for international meetings, including the General Assembly, demonstrated that the United States was a felonious, gangster State. He wished to again emphasize that his Government regarded the act as an intolerable act of infringement upon the sovereignty of his country and an outrageous violation of international law and strongly condemned it. He recalled the Committee's mandate to ensure the security, privileges and immunities of the missions accredited to the United Nations in accordance with international law, and requested that the Committee hold the United States authorities accountable for the consequences of the incident and take practical measures to prevent the recurrence of such infringement upon the sovereignty of Member States.

71. The representative of the host country stated that the United States, as host country to the United Nations, took its obligations and responsibilities very

seriously. While he could confirm that two parcels belonging to the Democratic People's Republic of Korea had been taken by United States authorities at John F. Kennedy airport, his Government's position was that those parcels were not entitled to be treated as a diplomatic pouch, as the parcels did not satisfy the necessary criteria required in order to be accorded the high level of protection provided for a diplomatic pouch. The representative stated that the United States authorities would continue to try to resolve the matter.

72. The observer for the Democratic People's Republic of Korea stated that what had happened was an unusual phenomenon and that the United States Government did not order such assaults on every delegation accredited to United Nations conferences or meetings. He said that the incident constituted an infringement upon the sovereignty of a Member State and a violation of international law, which could not be justified by any means. He stated that, accordingly, the United States should be held accountable for its criminal act, make an official apology and return the diplomatic packages immediately.

73. The Chair stated that the incident described by the observer for the Democratic People's Republic of Korea was a serious matter concerning representatives of a State Member of the United Nations. He welcomed the assurance provided by the representative of the host country that the host country's authorities intended to resolve the matter in a constructive way. He urged both parties to engage constructively in addressing the matter and would consult with them on any assistance he could provide.

74. The representative of Cuba welcomed the approach suggested by the Chair. He stated that the treatment of diplomats and the diplomatic pouch was an important issue and it was extremely important for the authorities of the host country to honour the terms of the Headquarters Agreement and take all necessary measures to carry out its obligations in accordance with the Vienna Convention on Diplomatic Relations. He also stated that there should be no violation of the privileges and immunities of diplomats and hoped that such events would not recur. He also wished to reiterate his Government's commitment to work with all members of the Committee in order to ensure compliance with the provisions of the Vienna Convention and the Headquarters Agreement transparently, without any disrespect and fully honouring relations with the host country.

75. The representative of China stated that, with respect to the serious matter raised by the observer for the Democratic People's Republic of Korea, in accordance with the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations and the Vienna Convention on Diplomatic Relations, the representatives of States Members of the principal and subsidiary organs of the United Nations and meetings convened by the United Nations should, while exercising their functions and during their journeys to and from the place of meeting, enjoy immunity from personal arrest and the seizure of their personal baggage and have the right to dispatch and receive correspondence by courier and in bags.

76. The observer for the Islamic Republic of Iran recalled the importance of the observance of the privileges and immunities of the United Nations and the diplomatic missions accredited to it. He stated that the immunity of diplomatic missions and in particular the inviolability of diplomatic premises was imperative for the maintenance of appropriate conditions for the normal work of Member State delegations and the efficient functioning of the missions accredited to the United Nations. He noted that although the host country had made some efforts to respect the privileges and immunities of diplomatic missions, there had been cases in which the rules of diplomatic law might have been disregarded by the agents of the host

country and that such violations needed to be properly investigated and remedied in accordance with applicable law. The observer further recalled that the protection of persons in transit to or from United Nations Headquarters, the respect for the immunity of the diplomatic bag and the immunity from seizure of personal baggage, as well as the obligation of the host country for the prompt and timely issuance of visas, were among the core obligations of the host country, enshrined in the Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations. He also wished to emphasize that the protection of diplomats had to be guaranteed irrespective of the relations between the United States and the country concerned. He therefore invited the host country to fulfil its responsibilities in ensuring respect for diplomatic privileges and immunities.

77. The observer for the Syrian Arab Republic commended the efforts of the Committee, the Chair and the host country as they dealt with the many problems and concerns referred to the Committee on matters that affected the work of the permanent missions accredited to the United Nations. His delegation was concerned and dismayed by the unfortunate incident reported by the observer for the Democratic People's Republic of Korea. The Permanent Mission of the Syrian Arab Republic fully supported the demands by the observer for the Democratic People's Republic of Korea for an explanation and a clear apology for the infringement on the diplomatic immunity of the members of the delegation who participated in the meetings of the United Nations, for the return of the diplomatic packages that had been confiscated without justification and for assurances that the violations would not be repeated. He also wished to recall the duties and obligations of the United States Government to protect the privileges and immunities of the permanent missions of Member States and their delegations. He urged the Committee to work towards resolution of those and other issues pertaining to privileges and immunities in accordance with the Vienna Convention on Diplomatic Relations and the Headquarters Agreement, and requested that the host country deal with the concerns of Member States with courage and openness.

78. At the 284th meeting, the representative of the host country informed the Committee that his Government had returned, on 16 July 2017, two parcels that had been taken by United States officials from a delegation of the Democratic People's Republic of Korea at John F. Kennedy airport on 16 June. Accordingly, his Government now considered the matter closed.

79. The Chair took note of the information conveyed by the representative of the host country and welcomed the positive outcome.

E. Host country travel regulations

80. At the 283rd meeting, the representative of Cuba stated that restrictions on the movement of diplomats accredited to the United Nations was a discriminatory act that was politically motivated and a violation of the host country's obligations under the Headquarters Agreement and customary international law relating to diplomatic relations. He stressed that the restrictions, which prevented the personnel from various Member States, including Cuba, from venturing beyond a 25-mile radius extending from Columbus Circle in New York City, were causing problems for the effective performance of the diplomatic functions of permanent missions and should cease immediately. He called for dialogue and respect for international law which would decisively contribute to the better development of diplomatic relations among the missions to the United Nations within the framework of security and in strict compliance with the Vienna Convention on Diplomatic Relations and the Headquarters Agreement. He stated that the Permanent Mission of Cuba remained committed to working with all members of the Committee with a view to fulfilling

the pertinent provisions of the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention and the Headquarters Agreement, and to work transparently, without discrimination and with full respect for the sovereignty of all States and the Organization.

81. The Chair stated that, with respect to the issue of geographical restrictions raised by the representative of Cuba, he wished to recall that the Committee had consistently urged the host country to remove the remaining travel restrictions, including in the recommendations and conclusions of its previous report (A/71/26). He was confident that the Committee would continue to discuss and resolve issues arising within its competence in a friendly and constructive spirit and in accordance with international law, and that the host country would continue to exercise its best efforts to respond to the needs and concerns of all Member States.

82. At the 284th meeting, the representative of Cuba stated that her delegation wished to reiterate that the placement of restrictions by the host country on the movement of diplomats accredited to the United Nations was a discriminatory act that was politically motivated and a violation of the host country's obligations under the Headquarters Agreement and customary international law relating to diplomatic relations. She stressed that the restrictions, which prevented personnel from various Member States, including Cuba, from venturing beyond a 25-mile radius extending from Columbus Circle in New York City, were causing problems for the effective performance of the diplomatic functions of the affected permanent missions and should cease immediately. In that regard, she called for dialogue and respect for international law which would decisively contribute to the better development of diplomatic relations among the missions to the United Nations within the framework of security and in strict compliance with the Vienna Convention on Diplomatic Relations and the Headquarters Agreement. She also wished to emphasize that her Mission remained committed to working with all members of the Committee with a view to fulfilling the pertinent provisions of the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention and the Headquarters Agreement, and to work transparently, without discrimination and with full respect for the sovereignty of all States and the Organization.

83. The Chair thanked the representative of Cuba for her statement. He stated that the Committee took note of the position expressed by Cuba and recalled the Committee's long-standing request for the host country to remove the remaining travel restrictions.

F. Host country activities: activities to assist members of the United Nations community

84. At the 282nd meeting, the observer for the Syrian Arab Republic raised a separate matter relating to bank accounts. While acknowledging that the United States Government had made tremendous efforts on the matter, he informed the Committee that it was continually closing the bank accounts of diplomats accredited to his Mission. Moreover, banks were sending correspondence and directly calling members of his Mission on behalf of the United States Treasury and the Office of Foreign Assets Control with very unusual questions. He indicated that questions such as the following were being asked: "Where did you spend this money?", "Where did you get this money?", "Who got the money?", "To whom was a check issued?", "Why was the salary received in cash, if there were other means for the salary to be paid?" He noted that, while the banks were claiming that they were required by the United States authorities to ask those questions, those same authorities were saying that the Syrian Arab Republic had certain exemptions from

United States sanctions. In that regard, he wished to have it noted that his Government did not consider them to be proper sanctions, as the measures constituted unilateral action by the United States against his country.

85. The representative of the host country stated that he would work closely with the observer for the Syrian Arab Republic to address the questions and ensure that funds could be transferred and the banking mechanism could operate the way in which it was intended. He also indicated that he was aware of the fact that many missions had received those questionnaires from parts of his Government, and that it was not aimed at any particular mission but only had to do with international banking.

86. The Chair took note of the assurances given by the representative of the host country and stated that he was available to assist, as required.

87. At the 284th meeting, the representative of China stated that his delegation wished to thank the host country and the Mayor of New York City for the facilities and logistical support they had provided to Member States during the high-level segment of the seventy-second session of the General Assembly. The comprehensive arrangements, including for protocol, enabled all delegations, including the Chinese delegation, to effectively participate in a variety of planned activities during that week.

88. The Chair conveyed his appreciation to the host country, New York City and the representatives of the Member States for their cooperation. Referring to the numerous informal meetings held with representatives of the host country and Member States concerned, and bilateral meetings between Member States, he expressed his hope that the host country would continue to exercise its best efforts to address the concerns raised by Member States.

Chapter IV
Recommendations and conclusions

89. At its 285th meeting, on 20 October 2017, the Committee approved the following recommendations and conclusions:

(a) The Committee reaffirms the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, the provisions of the 1961 Vienna Convention on Diplomatic Relations and the 1946 Convention on the Privileges and Immunities of the United Nations;

(b) Considering that the maintenance of appropriate conditions for the delegations and missions accredited to the United Nations is in the interest of the United Nations and all Member States, the Committee acknowledges the efforts made by the host country to that end and anticipates that all issues raised at its meetings, including those referred to below, will be duly settled in a spirit of cooperation and in accordance with international law;

(c) The Committee notes that the observance of privileges and immunities is an issue of great importance. The Committee underlines in this regard that, in the context of the functioning of delegations and missions to the United Nations, the implementation of the instruments listed in paragraph 89 (a) cannot be subject to any restrictions arising from the bilateral relations of the host country. The Committee emphasizes the need to solve, through negotiations, problems that might arise in that regard for the normal functioning of the delegations and the missions accredited to the United Nations. The Committee urges the host country to continue to take appropriate action, such as the training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities. If violations occur, the Committee urges the host country to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

(d) Considering that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning, the Committee acknowledges the efforts made by the host country to that end and anticipates that the host country will continue to take all measures necessary to prevent any interference with the functioning of the missions;

(e) The Committee recalls the privileges and immunities applicable to the premises of the permanent missions to the United Nations enjoyed under international law, in particular the instruments listed in paragraph 89 (a) of the present report, and the obligations of the host country to observe such privileges and immunities. The Committee takes note of the alleged violations thereof by the host country and of the concerns expressed thereon. The Committee urges the host country to address such alleged violations and to remove any restrictions inconsistent with those privileges and immunities applied to the premises of a Permanent Mission, and in that regard ensure respect for such privileges and immunities. The Committee remains seized of these matters and anticipates that these issues shall be duly addressed in a spirit of cooperation and in accordance with international law;

(f) The Committee notes that permanent missions continue to implement the Diplomatic Parking Programme and shall remain seized of the matter, with a view to continuously ensuring the proper implementation of the programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

(g) **The Committee requests that the host country continue to bring to the attention of New York City officials reports about other problems experienced by permanent missions or their staff in order to improve the conditions for their functioning and to promote compliance with international norms concerning diplomatic privileges and immunities, and continue to consult the Committee on those important issues;**

(h) **The Committee recalls that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI), the Committee shall consider and advise the host country on issues arising in connection with the implementation of the Headquarters Agreement;**

(i) **The Committee anticipates that the host country will continue to enhance its efforts to ensure the issuance of entry visas to representatives of Member States pursuant to article IV, section 11, of the Headquarters Agreement to enable travel, in a timely manner, to New York on official United Nations business, including to attend official United Nations meetings, and notes that a number of delegations have requested shortening the time frame applied by the host country for the issuance of entry visas to representatives of Member States, since the present time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings; the Committee also anticipates that the host country will continue to enhance efforts to facilitate the participation, including visa issuance, of representatives of Member States in other United Nations meetings, as appropriate. The Committee also remains seized of particular entry visa-related issues raised at its meetings and anticipates that these issues shall be duly addressed in a spirit of cooperation and in accordance with international law;**

(j) **Concerning travel regulations issued by the host country with regard to personnel of certain missions and staff members of the Secretariat of certain nationalities, the Committee urges the host country to remove the remaining travel restrictions and, in that regard, notes the positions of the affected Member States, as reflected in the report of the Secretary-General, and of the host country;**

(k) **The Committee stresses the importance of permanent missions, their personnel and Secretariat personnel meeting their financial obligations;**

(l) **The Committee stresses the need for the permanent missions and the United Nations to benefit from appropriate banking services and anticipates that the host country will continue to assist the permanent missions accredited to the United Nations and their staff in obtaining such services;**

(m) **The Committee welcomes the participation, in its work, of States Members of the United Nations that are not members of the Committee. The Committee also welcomes the contribution of the Secretariat to its work and emphasizes its importance. The Committee is convinced that its important work has been strengthened by the cooperation of all concerned;**

(n) **The Committee wishes to reiterate its appreciation to the representative of the United States Mission to the United Nations in charge of host country affairs, to the Host Country Affairs Section of the United States Mission and to the Office of Foreign Missions, as well as to local entities, in particular the Mayor's Office for International Affairs, for their participation in its meetings;**

(o) **The Committee appreciates the efforts of the Chair towards addressing issues raised within the Committee and in this regard encourages Member States to avail themselves of his assistance as they deem necessary.**

Annex

List of topics for consideration by the Committee

1. Question of the security of missions and the safety of their personnel.
2. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, including:
   (a) Entry visas issued by the host country;
   (b) Acceleration of immigration and customs procedures;
   (c) Exemption from taxes.
3. Responsibilities of permanent missions to the United Nations and their personnel, in particular the problem of claims of financial indebtedness and procedures to be followed with a view to resolving the issues relating thereto.
4. Housing for diplomatic personnel and for Secretariat staff.
5. Question of privileges and immunities:
   (a) Comparative study of privileges and immunities;
   (b) Convention on the Privileges and Immunities of the United Nations and other relevant instruments.
6. Host country activities: activities to assist members of the United Nations community.
7. Transportation: use of motor vehicles, parking and related matters.
8. Insurance, education and health.
9. Public relations of the United Nations community in the host city and the question of encouraging the mass media to publicize the functions and status of permanent missions to the United Nations.
10. Consideration and adoption of the report of the Committee to the General Assembly.

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